

**TRANSPORTATION RULES  
OF  
GEORGIA PUBLIC SERVICE COMMISSION  
SUBCHAPTER 4-4: LIMOUSINE SAFETY RULES**

Table Of Contents

<b>Part 4 -4-1</b>	<b>General</b>	<b>Part 4 -1-393</b>	<b>Parts and Accessories Necessary for Safe</b>
<b>Part 4 -4-390</b>	<b>General</b>		<b>Operation</b>
<b>Part 4 -1-391</b>	<b>Qualifications of Drivers</b>	<b>Part 4 -1-395</b>	<b>Hours of Service of Drivers</b>
<b>Part 4 -1-392</b>	<b>Driving of Motor Vehicles</b>	<b>Part 4 -1-396</b>	<b>Inspection, Repair and Maintenance</b>

**4-4-1.1 Applicability.**

(a) The limousine safety rules and regulations of the Georgia Public Service Commission are the minimum safety requirements for all limousines operating for hire interstate and intrastate commerce in Georgia, and to the extent that they do not conflict with Georgia law; and where applicable, are the same as the Motor Carrier Safety Regulations issued by the Commission as provided in Chapter 4-1 of the Commission's Transportation Rules, except as amended herein.

(b) All references to the U.S. Department of Transportation except when used to designate approval of mechanical specifications shall be interpreted to mean the Georgia Public Service Commission.

(c) Any reference in the regulations to the "Operations Manager" and/or "Associate Administrator, Federal Motor Carrier Safety Administration," shall be interpreted to mean Director, Transportation Division, Georgia Public Service Commission, except insofar as the term relates to preemption.

(d) All references to "interstate" commerce shall be interpreted to include "intrastate" commerce. It is the intent of the Commission that the regulations shall apply to intrastate carriers and operations.

(e) Where the Federal regulations as adopted by the Commission refer to "carriers" or "motor carriers," the term shall be taken to mean all for hire limousine carriers subject to the Commission's jurisdiction pursuant to Title 46 O.C.G.A.

**Note: Copies of the U.S. Department of Transportation's Motor Carrier Safety Regulations may be obtained from the U.S. Government Printing Office, Superintendent of Documents, Washington, DC 20402.**

**4-4-1.2 Reports.**

(a) All reports required by the safety regulations shall be sent to the Georgia Public Service Commission, Transportation Division, 1007 Virginia Avenue, Suite 310, Hapeville, Georgia 30354-1325, in addition to any copies required to be sent to any Federal Agency.

(b) The Georgia Public Service Commission will accept forms prescribed by the U.S. Department of Transportation where required by the safety regulations.

**4-4-1.3 Penalties.**

(a) *Criminal penalty.* In addition to any other penalty imposed by law, violations of any provision of this chapter shall constitute a misdemeanor, pursuant to O.C.G.A. §16-1-10, §46-2-93 and §46-7-39.

(b) *Civil penalty.* In addition to any other penalty imposed by law, violations of this chapter shall be subject to the provisions of O.C.G.A. §46-2-91.

**4-4-1.4 Construction.**

(a) Unless amended herein, the rules in this chapter numbered beyond 4-4-300 shall generally be the same as the rules contained in the Federal Motor Carrier Safety Regulations. Where reference is made to a federal rule number (e.g., “390.5”) the compatible state rule shall be deemed to be “4-4-” followed by the Federal rule number (e.g., “49 CFR §390.5” becomes “4-4-390.5”).

(b) References on Commission documents to a Federal rule by Federal Section number shall be construed as a valid cite of the Commission’s rules and regulations without listing the entire Commission section reference (e.g., “390.21” equals “4-4-390.21”).

**Part 390****General****4-4-390 Limousine Safety Regulations—General.**

Except as amended by the Commission herein, balance of Rule 4-3-390 is contained in the Motor Carrier Safety Regulations of the Georgia Public Service Commission contained in Rule 4-1-390, and as amended.

**4-4-390.3 (a) General Applicability.**

(a) The rules in Subchapter B of this chapter are applicable to all employers, employees, and limousines, which transport property or passengers in interstate or intrastate commerce.

**4-4-390.5 Definitions.**

Balance of § 390.5 definitions, except as amended herein, are contained in Commission Rule 4-1-390.5. The following definitions are hereby inserted in the appropriate alphabetical order:

*Chauffeur* means any person with a Georgia state driver's license who meets the qualifications as prescribed in Commission Transportation Rule 5-4-2.3 and who is authorized by the Public Service Commission to drive a luxury limousine under this chapter.

*Lightweight commercial motor vehicle* - (See 4-1-390.5)

*Limousine carrier* means any person operating a service regularly rendered to the public by furnishing transportation as a motor common carrier for hire, not over fixed routes, by means of limousines, or extended limousines, on the basis of telephone contract or written contract.

*Limousine* or *Luxury limousine* means any motor vehicle that meets the manufacturer's specifications for a luxury limousine with a designated seating capacity for no more than ten passengers and with a minimum of five seats located behind the operator of the vehicle, and which does not have a door at the rear of the vehicle designed to allow passenger entry or exit; further, no vehicle shall be permitted to be operated both as a taxicab and a limousine.

**4-4-390.21 Identification of Luxury Limousines.**

(a) Prior to operating luxury limousines over the highways of Georgia for which registration and licensing of such equipment has been made, every motor carrier holding a certificate to transport passengers in luxury limousines shall affix to the front bumper a standard size license plate with the following information:

- (1) Limousine company name;
- (2) City and state of principal domicile;
- (3) Company telephone number; and,
- (4) Vehicle classification - IE-1.

(b) Luxury limousines which also operate in interstate commerce must comply with the identification requirements of any federal agency with jurisdiction.

**Part 391****Qualification of Drivers of Limousines****4-4-391 Limousine Safety Regulations—Qualifications of Drivers.**

Except as amended by the Commission herein, Balance of Rule 4-4-391, is contained in the Motor Carrier Safety Regulations of the Georgia Public Service Commission contained in Rule 4-1-391, and as amended.

**4-4-391.11 Qualification of Limousine Drivers.**

(a) A person shall not drive a limousine unless he/she is qualified to drive a motor vehicle. A limousine carrier shall not require or permit a person to drive a limousine unless that person is qualified to drive a limousine.

(b) A person is qualified to drive a commercial motor vehicle if he/she—

- (1) Is at least 18 years old;
- (2) Can read and speak the English language sufficiently to converse with the general public, to understand highway traffic signs and signals in the English language, to respond to official inquiries, and to make entries on reports and records;
- (3) Can, by reason of experience, training, or both, safely operate the type of motor vehicle he/she drives;
- (4) Has a currently valid motor vehicle operator's license issued by Georgia, and no other currently valid license from another jurisdiction;
- (5) Has a currently valid chauffeur's permit issued by the Commission;
- (6) Is not disqualified to drive a motor vehicle under Georgia law or the laws of another state;
- (7) Is not disqualified from holding a chauffeur's permit under O.C.G.A. §46-7-85.10; and,
- (8) Successfully passes the background investigation required to determine disqualification under O.C.G.A. §46-7-85.10.

**Part 392****Driving of Limousines****4-4-392 Limousine Safety Regulations—Driving of Motor Vehicles.**

Except as amended by the Commission herein, Balance of Rule 4-4-392 is contained in the Motor Carrier Safety Regulations of the Georgia Public Service Commission, Rule 4-1-392, and as amended.

**4-4-392.4 Drugs and other substances.**

(a) No driver shall be on duty and possess, be under the influence of, or use, any of the following drugs or other substances:

- (1) Any 21 CFR 1308.11 Schedule I substance;
- (2) An amphetamine or any formulation thereof (including, but not limited, to “pep pills,” and “bennies”);
- (3) A narcotic drug or any derivative thereof; or
- (4) Any other substance, to a degree which renders the driver incapable of safely operating a motor vehicle.

(b) No motor carrier shall require or permit a driver to violate paragraph (a) of this section.

(c) Paragraphs (a) (2), (3), and (4) do not apply to the possession or use of a substance administered to a driver by or under the instructions of a licensed medical practitioner, as defined in 49 CFR §382.107 of this subchapter, who has advised the driver that the substance will not affect the driver's ability to safely operate a motor vehicle.

(d) As used in this section, “possession” does not include possession of a substance which is manifested and transported as part of a shipment.

**4-4-392.5 Alcohol prohibition.**

(a) No driver shall—

(1) Use alcohol, as defined in 49 CFR §382.107 of this subchapter, or be under the influence of alcohol, within 4 hours before going on duty or operating, or having physical control of, a motor vehicle; or

(2) Use alcohol, be under the influence of alcohol, or have any measured alcohol concentration or detected presence of alcohol, while on duty, or operating, or in physical control of a motor vehicle; or

(3) Be on duty or operate a commercial motor vehicle while the driver possesses wine of not less than one-half of one percentum of alcohol by volume, beer as defined in 26 U.S.C. 5052(a), of the Internal Revenue Code of 1954, and distilled spirits as defined in § 5002(a)(8), of such Code. However, this does not apply to possession of wine, beer, or distilled spirits which are possessed or used by limousine passengers.

(b) No motor carrier shall require or permit a driver to—

(1) Violate any provision of paragraph (a) of this section; or

(2) Be on duty or operate a motor vehicle if, by the driver's general appearance or conduct or by other substantiating evidence, the driver appears to have used alcohol within the preceding four hours.

(c) Any driver who is found to be in violation of the provisions of paragraph (a) or (b) of this section shall be placed out of service immediately for a period of 24 hours.

(1) The 24-hour out of service period will commence upon issuance of an out of service order.

(2) No driver shall violate the terms of an out of service order issued under this section.

(d) Any driver who is issued an out of service order under this section shall report such issuance to his/her employer within 24 hours.

**Part 393****Parts and Accessories Necessary for Safe Operation of Limousines****4-4-393 Limousine Safety Regulations—Parts and Accessories Necessary for Safe Operation.**

Except as amended by the Commission herein, Balance of Rule 4-4-393 is contained in the Motor Carrier Safety Regulations of the Georgia Public Service Commission in Rule 4-1-393, and as amended.

**4-4-393.1 Scope of the rules in this part.**

Every employer and employee shall comply and be conversant with the requirements and specifications of this part. No employer shall operate a vehicle or cause it to be operated, unless it is equipped in accordance with the requirements and specifications of this part.

**4-4-393.2 General requirements.**

Every motor vehicle operated by a limousine carrier shall be equipped with every component required by the Federal Motor Vehicle Safety Standard (FMVSS) (49 CFR Part 571) in effect on the date of manufacture of the vehicle. All such components will be maintained in proper operating condition.

**4-4-393.3 Additional equipment and accessories.**

Nothing contained in this part shall be construed to prohibit the use of additional equipment and accessories, not inconsistent with or prohibited by this part, provided such equipment and accessories do not decrease the safety of operation of the vehicle on which they are used.

**4-4-393.9 Lighting devices.**

- (a) All lamps required by this part shall be capable of being operated at all times.
- (b) Every limousine shall be equipped at least with the following lamps, and such lamps shall also comply with Commission Transportation Rule 4-4-393.2.
  - (1) *Headlamps*: At least two, mounted on front at the same height, an equal number at each side of the vertical centerline as far apart as practicable.
  - (2) *Turn signals*:
    - (i) *Front*: Two, one on each side of the vertical centerline at the same height and as far apart as practicable.
    - (ii) *Rear*: Two, one on each side of the vertical centerline at the same height and as far apart as practicable.
  - (3) *Stop lamps*: At least two, one lamp each side of the vertical centerline at the same height and as far apart as practicable.
  - (4) *Tail lamps*: At least two, one lamp each side of the vertical centerline at the same height and as far apart as practicable.

**4-4-393.33 Wiring.**

Electrical wiring shall be systematically arranged and installed in a workmanlike manner. The presence of bare, loose, dangling, chafing, or poorly connected wire is prohibited.

**4-4-393.48 Brakes.**

All brakes with which a vehicle is equipped must at all times be capable of operating.

**4-4-393.51 Warning devices.**

A vehicle must be equipped with a device that provides a warning to the driver when a failure occurs in the vehicle's brake system.

**4-4-393.60 Glazing.**

(a) Every vehicle shall be equipped with a windshield which shall be free of discoloration or other damage except coloring or tinting applied in manufacture, for reduction of glare. Such coloring or tinting shall meet the requirements of §40-8-73.1.

(b) No vehicle may be operated with any label, sticker, decalcomania, or other vision-reducing matter covering any portion of its windshield or windows at either side of the driver's compartment, except that stickers required by law may be affixed at the bottom of the windshield, provided no part of the sticker may extend upward more than 4 ½ inches from the bottom of the windshield.

**4-4-393.65 Fuel systems.**

Each fuel system, tank and lines, must be securely attached to the vehicle and be free of any leaks. Each fuel tank or filler pipe must be equipped with a securely affixed cap.

**4-4-393.75 Tires.**

(a) No vehicle shall be operated on any tire that:

- (1) Has body ply or belt material exposed through the tread or sidewall;
- (2) Has any tread or sidewall separation;
- (3) Is flat or has an audible leak;
- (4) Has a cut to the extent that the ply or belt material is exposed.

(b) Any tire on the vehicle shall have a tread groove pattern depth of at least 4/32 of an inch when measured at any point on a major tread groove. The measurements shall not be made where tie bars, humps, or fillets are located.

(c) No vehicle shall be operated:

- (1) With tires that carry a greater weight than specified and marked on the sidewall of the tire.
- (2) On a tire which has a cold inflation pressure less than that specified for the load being carried.

**4-4-393.79 Defrosting device.**

Every vehicle when operating under conditions such that ice, snow, or frost would be likely to collect on the outside of the windshield or condensation on the inside of the windshield shall be equipped with a device or other means, not manually operated, for preventing or removing such obstructions to the driver's view.



**4-4-393.80 Rear-vision mirrors.**

Every vehicle shall be equipped with two rear-vision mirrors, one at each side, firmly attached to the outside of the vehicle, and so located as to reflect to the driver a view of the highway to the rear, and along both sides of the vehicle.

**4-4-393.81 Horn.**

Every vehicle shall be equipped with a horn and actuating elements which shall be in such condition as to give an adequate and reliable warning signal.

**4-4-393.82 Speedometer.**

Every vehicle shall be equipped with a speedometer indicating vehicle speed in miles/kilometers per hour, which shall be operative with reasonable accuracy.

**4-4-393.83 Exhaust system.**

(a) Every vehicle capable of expelling harmful combustion fumes shall have a system to direct the discharge of such fumes. No part shall be located where its location would likely result in burning, charring, or damaging the electrical wiring, the fuel system, or any combustible part of the vehicle.

(b) No exhaust system shall discharge to the atmosphere at a location immediately below the fuel tank or the fuel tank filler pipe.

(c) The exhaust system of every vehicle shall discharge at a location to the rear of the passenger compartment.

(d) No part of the exhaust system shall be temporarily repaired with wrap or patches.

(e) The exhaust system must be securely fastened to the vehicle.

**4-4-393.84 Floors.**

The flooring in all vehicles shall be substantially constructed, free of unnecessary holes and openings, and shall be maintained so as to minimize the entrance of fumes, exhaust gases, or fire.

**4-4-393.88 Television receivers.**

Any vehicle equipped with a television viewer, screen or other means of producing a picture for viewing shall have the viewer or screen located in the vehicle at a point to the rear of the back of the driver's seat and shall be so located as not to be visible to the driver, while he/she is driving the vehicle, and the controls shall be so located that the driver cannot operate them without leaving the driver's seat.

**4-4-393.93 Seat belts.**

Every vehicle shall be equipped with a seat safety belt, approved under Federal Motor Vehicle Safety Standard (FMVSS) No. 208, 49 CFR §571.208, for each seating position.

**4-4-393.95 Emergency equipment.**

Every vehicle must be equipped as follows:

(a) *Fire extinguisher.* Every vehicle must be equipped with a fire extinguisher that is properly filled and located so that it is readily accessible for use. The fire extinguisher must be securely mounted and must be designed, constructed, and maintained to permit visual determination of whether it is fully charged

(b) *Warning devices for stopped vehicles.* Every vehicle must be equipped with three emergency reflective triangles that conform to the requirements of the Federal Motor Vehicle Safety Standard (FMVSS) No. 125, 49 CFR §571.125.

**4-4-393.201 Frames.**

(a) The frame of every vehicle shall not be cracked, loose, sagging or broken.

(b) Bolts or brackets securing the body of the vehicle to the frame must not be loose, broken or missing.

**4-4-393.203 Body components.**

(a) The vehicle doors or door parts used as entrance or exit shall not be missing or broken. Doors shall not sag so that they cannot be properly opened or closed. No door shall be wired shut or otherwise secured in the closed position so that it cannot be readily opened.

(b) The hood must be securely fastened.

(c) All seats must be securely mounted.

(d) The front bumper must not be missing, loosely attached or protruding beyond the confines of the vehicle so as to create hazard.

**4-4-393.205 Wheels.**

(a) Wheels and rims shall not be cracked or broken.

(b) Stud or bolt holes on the wheels shall not be elongated (out of round).

(c) Nuts or bolts shall not be missing or loose.

**4-4-393.207 Suspension systems.**

(a) No axle positioning part shall be cracked, broken, loose or missing. All axles must be in proper alignment.

(b) No leaf spring shall be cracked, broken, or missing nor shifted out of position.

(c) No coil spring shall be cracked or broken.

**4-4-393.209 Steering wheel systems.**

(a) The steering wheel shall be secured and must not have any spokes cracked through or missing.

(b) Steering wheel lash (free play) must not exceed the following parameters:

Steering wheel diameter	Manual steering system lash (maximum)	Power steering system lash (maximum)
16" or less	2"	4-1/2"
18"	2-1/4"	4-3/4"
20"	2-1/2"	5-1/4"
22"	2-3/4"	5-3/4"

(c) The steering column must be securely fastened.

(d) Universal joints shall not be worn, faulty or repaired by welding. The steering gear box shall not have loose or missing mounting bolts or cracks in the gear box or mounting brackets. The steering wheels shall turn freely through the limit of travel in both direction.

(e) All components of the power steering system must be in operating condition. No parts shall be loose or broken. Belts shall not be frayed, cracked or slipping. The system shall not leak and the system shall have sufficient fluid in the reservoir.

**Part 395**

**Hours of Service of Limousine Drivers**

**4-4-395 Limousine Safety Regulations—Hours of Service.**

Except as amended by the Commission herein, Balance of Rule 4-4-395 is contained in the Motor Carrier Safety Regulations of the Georgia Public Service Commission contained in Rule 4-1-395, and as amended.

**4-4-395.1 Applicability.**

None of the rules in Part 395 apply to vehicles and drivers engaged solely in limousine transportation.

**Part 396**

**Inspection, Repair and Maintenance of Limousines**

**4-4-396 Limousine Safety Regulations—Inspection, Repair and Maintenance.**

Except as amended by the Commission herein, Balance of Rule 4-4-396 is contained in the Motor Carrier Safety Regulations of the Georgia Public Service Commission contained in Rule 4-1-396, and as amended

**4-4-396.17 Annual Inspection.**

Pursuant to Commission Transportation Rule 5-4-2.4, all luxury limousines must be inspected annually by personnel designated by the Commission for compliance with the safety rules in this chapter and upon compliance have a safety decal affixed by the inspector. In addition to meeting the safety requirements every luxury limousine shall meet the identification requirements in Rule 4-4-390.21.